

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 101 - HB 183

March 9, 2021

SUMMARY OF ORIGINAL BILL: Creates the Professional Art Therapist Advisory Committee of the Board of Examiners in Psychology. Establishes the Advisory Committee is to consist of three members who are licensed as professional art therapists and shall be actively engaged in the practice or teaching of art therapy in this state at the time of their appointment by the Governor. Authorizes the Committee to issue licenses to qualified applications. Entitles members to travel and other appropriate expenses while engaged in Committee business. Requires the Division of Health-Related Boards in the Department of Health (DOH) to provide administrative support to the Committee. Creates a Class B misdemeanor offense for unauthorized use of the title “licensed professional art therapist”, or “associate art therapist” and for conducting business as such without appropriate licensure. Places the Advisory Committee under sunset review with the first termination date on June 30, 2022.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – \$15,000/FY21-22/Board of Examiners in Psychology
\$15,000/FY22-23/Board of Examiners in Psychology
\$11,300/FY23-24 and Subsequent Years/
Board of Examiners in Psychology

Increase State Expenditures – \$1,300/FY21-22 and Subsequent Years/
Board of Examiners in Psychology

Other Fiscal Impact – Pursuant to Tenn. Code Ann. § 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Examiners of Psychology had an annual surplus of \$4,356 in FY18-19, an annual surplus of \$67,976 in FY19-20, and a cumulative reserve balance of \$1,135,286 on June 30, 2020.

SUMMARY OF AMENDMENTS (003697, 004239): Amendment 003697 changes the effective date, for all purposes other than appointing members of the advisory committee, from July 1, 2021 to July 1, 2022.

Amendment 004239 deletes and replaces language in the original bill without making any substantive changes to the legislation.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

**Increase State Revenue – \$15,000/FY22-23/Board of Examiners in Psychology
\$15,000/FY23-24/Board of Examiners in Psychology
\$11,300/FY24-25 and Subsequent Years/
Board of Examiners in Psychology**

**Increase State Expenditures – \$1,300/FY22-23 and Subsequent Years/
Board of Examiners in Psychology**

Other Fiscal Impact – Pursuant to Tenn. Code Ann. § 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Examiners of Psychology had an annual surplus of \$4,356 in FY18-19, an annual surplus of \$67,976 in FY19-20, and a cumulative reserve balance of \$1,135,286 on June 30, 2020.

Assumptions for the bill as amended:

- The art therapist license will cost \$300. The biennial renewal fee will be \$225.
- It is estimated there are approximately 100 art therapists in the state. For this analysis, it is assumed licensure for art therapists will remain constant.
- Assuming 50 percent become licensed in FY22-23, the increase in state revenue is estimated to be \$15,000 [(100 art therapists x 50.0%) x \$300].
- The remaining 50 percent will be licensed in FY23-24; the increase in state revenue is estimated to be \$15,000 [(100 art therapists x 50.0%) x \$300].
- In FY24-25 and subsequent years, there will be licensure renewal fee revenue resulting in an increase in state revenue of \$11,250 [(100 art therapists x 50.0%) x \$225].
- Based on information previously provided by the DOH, the Board can accommodate the proposed legislation utilizing existing resources.
- The Advisory Committee will consist of three members and will meet four times a year, beginning in FY22-23.
- It is estimated the three committee members will receive mileage reimbursement of \$110 to attend each meeting. The recurring increase in state expenditures is estimated to be \$1,320 (\$110 x 4 meetings x 3 members).
- The total recurring increase in state expenditures in FY22-23 and subsequent years is estimated to be \$1,320.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Examiners of Psychology had an annual surplus of \$4,356 in FY18-19, an annual surplus of \$67,976 in FY19-20, and a cumulative reserve balance of \$1,135,286 on June 30, 2020.
- There will not be a sufficient number of Class B misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive style with a large, stylized 'B' and 'S'.

Bojan Savic, Interim Executive Director

/lm